

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Burley Field Office
15 East 200 South
Burley, Idaho 83318

Draft Finding of No Significant Impact

**Murtaugh Highway District Permit Renewal
NEPA No. ID-220-2007-EA-3338**

FINDING OF NO SIGNIFICANT IMPACT:

I have determined that the proposed action, as described in the EA will not have any significant impact, individually or cumulatively, on the quality of the human environment. Because there would not be any significant impact, an environmental impact statement is not required.

In making this determination, I considered the following factors:

1. The activities described in the proposed action do not include any significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)). The EA includes a description of the expected environmental consequences of issuing a minerals material permit to excavate gravel from 20 acres of public land.
2. The activities included in the proposed action would not significantly affect public health or safety (40 CFR 1508.27(b)(2)). Implementing the proposal could potentially affect air quality. Impacts such as increased emissions of particulate material and carbon monoxide would be confined to the immediate area and are not expected to exceed National Ambient Air Quality Standards established by the Environmental Protection Agency. Similar gravel excavation activities in the adjoining area have not significantly affected public health or safety.
3. The proposed activities would not significantly affect any unique characteristics (40 CFR 1508.27(b)(3)) of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, designated wilderness areas, wilderness study areas, or areas of critical concern. The proposed project area does not contain any unique characteristics.
4. The activities described in the proposed action do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)). The Murtaugh Highway District would excavate gravel from 20 acres of public land. The proposed gravel pit area is adjacent to three open gravel pits, of which one of these pits will be reclaimed in the near future to BLM standards. The immediate area has been

mined for gravel since 1947 and the effects of those operations, though not significant, are well understood.

5. The activities described in the proposed action do not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)). Mineral material permits have been issued in the general area since 1947 and have not resulted in effects that are highly uncertain or have involved unique or unknown risks.

6. My decision to implement these activities does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)). Issuing mineral material permits is an authorized BLM action (40 CFR 3604, Materials Act of 1947, Federal Land Policy and Management Act of 1976). The proposal has been analyzed for land use plan conformance and assessed for environmental impacts, including cumulative impacts, in the EA. Further, 40 acres of adjoining public land is permitted for minerals material.

7. The effects of permitting the Murtaugh Highway District to excavate gravel from 20 acres would not be significant, individually or cumulatively, when considered with the effects of other actions (40 CFR 1508.27(b)(7)). The EA discloses that there are no other connected or cumulative actions that would cause significant cumulative impacts. An adjoining 20 acres permitted to the Murtaugh Highway District for gravel excavation is currently being used to stockpile gravel. Once this stockpile is removed the area will be reclaimed (i.e. top soil returned and vegetation planted) to BLM standards. The EA (Migratory Birds, pages 6 – 8) describes BLM requirements that would mitigate: 1) potential impacts to migratory birds, 2) potential impacts to cultural, historical, or archaeological resources, 3) and infestations of non-native invasive or noxious weeds.

8. I have determined that the activities described in the proposed action will not adversely affect or cause loss or destruction of scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). Cultural resource surveys are done and no historic or cultural properties were identified (Cultural Resource Inventory Report ID220-08-19). Consultation with the State Historical Preservation Office was completed on April 22, 2008.

9. The proposed activities are not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)). The project area does not contain any known endangered or threatened species populations or designated critical habitat.

10. The proposed activities will not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)). The EA (page 2) describes conformance with the Cassia Resource Management Plan and provides a description of relevant laws and regulations.

